



407902

LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AE/3R	.	Floor: CA
03/07/2024 07:10 PM	.	03/08/2024 01:37 PM
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The Committee on Rules (Burgess) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 448.106, Florida Statutes, is created to  
read:

448.106 Workplace heat exposure requirements.—

(1) As used in this section, the term:

(a) "Competitive solicitation" means an invitation to bid,  
a request for proposals, or an invitation to negotiate.

(b) "Heat exposure requirement" means a standard to control



12 an employee's exposure to heat or sun, or to otherwise address  
13 or moderate the effects of such exposure. The term includes, but  
14 is not limited to, standards relating to any of the following:

- 15 1. Employee monitoring and protection.  
16 2. Water consumption.  
17 3. Cooling measures.  
18 4. Acclimation and recovery periods or practices.  
19 5. Posting or distributing notices or materials that inform  
20 employees how to protect themselves from heat exposure.  
21 6. Implementation and maintenance of heat exposure programs  
22 or training.

23 7. Appropriate first-aid measures or emergency responses  
24 related to heat exposure.

25 8. Protections for employees who report that they have  
26 experienced excessive heat exposure.

27 9. Reporting and recordkeeping requirements.

28 (c) "Political subdivision" means a county, municipality,  
29 department, commission, district, board, or other public body,  
30 whether corporate or otherwise, created by or under state law.

31 (2) (a) A political subdivision may not establish, mandate,  
32 or otherwise require an employer, including an employer  
33 contracting to provide goods or services to the political  
34 subdivision, to meet or provide heat exposure requirements not  
35 otherwise required under state or federal law.

36 (b) A political subdivision may not give preference in a  
37 competitive solicitation to an employer based on the employer's  
38 heat exposure requirements and may not consider or seek  
39 information relating to the employer's heat exposure  
40 requirements.



407902

41           (3) This section does not limit the authority of a  
42 political subdivision to establish or otherwise provide heat  
43 exposure requirements not otherwise required under state or  
44 federal law for direct employees of the political subdivision.

45           (4) This section does not apply if it is determined that  
46 compliance with this section will prevent the distribution of  
47 federal funds to a political subdivision or would otherwise be  
48 inconsistent with federal requirements pertaining to receiving  
49 federal funds, but only to the extent necessary to allow a  
50 political subdivision to receive federal funds or to eliminate  
51 inconsistency with federal requirements.

52           Section 2. Section 450.081, Florida Statutes, is amended to  
53 read:

54           450.081 Hours of work in certain occupations.—

55           (1) (a) Minors 15 years of age or younger may ~~shall~~ not be  
56 employed, permitted, or suffered to work:

57           1. Before 7 a.m. or after 7 p.m. when school is scheduled  
58 the following day. ~~Or~~

59           2. For more than 15 hours in any one week when school is in  
60 session.

61           (b) On any school day, minors 15 years of age or younger  
62 who are not enrolled in a career education program may ~~shall~~ not  
63 be gainfully employed for more than 3 hours, unless there is no  
64 session of school the following day.

65           (c) ~~(b)~~ During holidays and summer vacations, minors 15  
66 years of age or younger may ~~shall~~ not be employed, permitted, or  
67 suffered to work before 7 a.m. or after 9 p.m., for more than 8  
68 hours in any one day, or for more than 40 hours in any one week.

69           (2) (a) Minors 16 and 17 years of age may ~~shall~~ not be



70 employed, permitted, or suffered to work:

71 1. Before 6:30 a.m. or after 11 p.m. ~~11:00 p.m.~~ when school  
72 is scheduled the following day. ~~or~~

73 2. For more than 8 hours in any one day when school is  
74 scheduled the following day, except when the day of work is on a  
75 holiday or Sunday.

76 3. For more than 30 hours in any one week when school is in  
77 session, ~~minors 16 and 17 years of age shall not work more than~~  
78 30 hours in any one week. However, a minor's parent or  
79 custodian, or the school superintendent or his or her designee,  
80 may waive the limitation imposed in this subparagraph on a form  
81 prescribed by the department and provided to the minor's  
82 employer.

83 (b) On any school day, minors 16 and 17 years of age who  
84 are not enrolled in a career education program ~~may~~ ~~shall~~ not be  
85 gainfully employed during school hours.

86 (3) Minors ~~15~~ 17 years of age or younger ~~may~~ ~~shall~~ not be  
87 employed, permitted, or suffered to work in any gainful  
88 occupation for more than 6 consecutive days in any one week.

89 (4) Minors ~~15~~ 17 years of age or younger ~~may~~ ~~shall~~ not be  
90 employed, permitted, or suffered to work for more than 4 hours  
91 continuously without an interval of at least 30 minutes for a  
92 meal period; and for the purposes of this law, a ~~no~~ period of  
93 less than 30 minutes ~~is not~~ ~~shall be~~ deemed to interrupt a  
94 continuous period of work. Minors 16 and 17 years of age who are  
95 employed, permitted, or suffered to work for 8 hours or more in  
96 any one day as authorized by this section may not be employed,  
97 permitted, or suffered to work for more than 4 hours  
98 continuously without an interval of at least 30 minutes for a



407902

99 meal period.

100 (5) ~~The provisions of~~ Subsections (1)-(4) do ~~shall~~ not  
101 apply to:

102 (a) Minors 16 and 17 years of age who have graduated from  
103 high school or received a high school equivalency diploma.

104 (b) Minors who are within the compulsory school attendance  
105 age limit and who hold a valid certificate of exemption issued  
106 by the school superintendent or his or her designee pursuant to  
107 ~~the provisions of s. 1003.21(3).~~

108 (c) Minors enrolled in an ~~a~~ public educational institution  
109 who qualify on a hardship basis, such as economic necessity or  
110 family emergency. ~~Such determination shall be made by~~ The school  
111 superintendent or his or her designee shall make such  
112 determination and issue, ~~and a waiver of hours shall be issued~~  
113 to the minor and the employer. The form and contents thereof  
114 shall be prescribed by the department.

115 (d) Minors 16 and 17 years of age who are in a home  
116 education program or are enrolled in an approved virtual  
117 instruction program in which the minor is separated from the  
118 teacher by time only.

119 (e) Minors ~~Children~~ in domestic service in private homes,  
120 minors ~~children~~ employed by their parents, or pages in the  
121 Florida Legislature.

122 (6) The department may grant a waiver of the restrictions  
123 imposed by this section pursuant to s. 450.095.

124 (7) ~~(6)~~ The presence of a ~~any~~ minor in any place of  
125 employment during working hours is ~~shall be~~ prima facie evidence  
126 of his or her employment therein.

127 (8) An employer who requires, schedules, or otherwise



128 causes a minor to be employed, permitted, or suffered to work in  
129 violation of this section commits a violation of the law,  
130 punishable as provided in s. 450.141.

131 Section 3. This act shall take effect July 1, 2024.

132  
133 ===== T I T L E A M E N D M E N T =====

134 And the title is amended as follows:

135 Delete everything before the enacting clause  
136 and insert:

137 A bill to be entitled  
138 An act relating to employment; creating s. 448.106,  
139 F.S.; defining terms; prohibiting a political  
140 subdivision from requiring employers to meet or  
141 provide heat exposure requirements beyond those  
142 required by law; prohibiting a political subdivision  
143 from giving preference to or considering or seeking  
144 information from an employer in a competitive  
145 solicitation based on or relating to an employer's  
146 heat exposure requirements; providing construction;  
147 providing applicability; amending s. 450.081, F.S.;  
148 removing certain employment restrictions for minors 16  
149 and 17 years of age; revising the age at which certain  
150 employment restrictions apply; providing for the  
151 waiver of a specified restriction by specified  
152 persons; restricting the amount of continuous hours  
153 certain minors may work without a break for a minimum  
154 specified time period; providing applicability;  
155 authorizing the department to grant a waiver of the  
156 restrictions imposed under the act; providing



407902

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penalties; making technical changes; providing an  
effective date.